

The opinion in support of the decision being entered today was *not* written for publication and is *not* binding precedent of the Board.

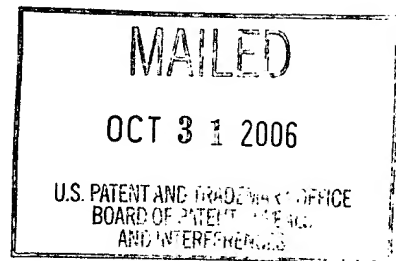
UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex Parte SHINAKO MATSUYAMA, YOSHIHITO ISHIBASHI,
ICHIRO FUTAMURA, MASASHI KON, and HIDEAKI WATANABE

Appeal No. 2006-2189
Application No. 09/843,403

ON BRIEF



Before KRASS, RUGGIERO, and BLANKENSHIP, Administrative Patent Judges.

KRASS, Administrative Patent Judge.

DECISION ON APPEAL

This is a decision on appeal from the final rejection of claims 1, 2, 4-6, 8-15, 17, 18, and 20-25.

The invention is directed to an access control system for use in a data transfer system which transfers data by means of public-key cryptosystem based on a public key certificate issued to an authentication object by a public key issuer authority.

Representative independent claim 1 is reproduced as follows:

1. An access control system for use in a data transfer system which transfers data by means of public-key cryptosystem based on a public key certificate issued to an

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authentication object by a public key issuer authority, the access control system comprising:

a service provider which is an authentication object and which provides services;

a service receiving device which also is an authentication object and which receives services provided by the service provider; and

an access control server which issues to the service receiving device an access permission which identifies a service provider an access to which by the service receiving device is permitted;

a system holder which is an organization that provides or controls contents usable by a user terminal, contents which enables provision of services, or a service distribution infrastructure;

wherein the service provider performs, based on the access permission, a decision as to whether an access request by the service receiving device is to be permitted; and

the system holder is configured to administrate the service provider and the service receiving device and to treat the service provider and the service receiving device as authentication objects and generates the access permissions in a form independently usable for the service provider.

The examiner relies on the following references:

Misra et al. (Misra)	5,757,920	May 26, 1998
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Doyle et al. (Doyle)	6,128,738	Oct. 03, 2000
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Claims 1, 2, 4-6, 8-13, 15, 17, 18, and 20-24 stand rejected under 35 U.S.C. § 102 (e)

as anticipated by Doyle.

Claims 14 and 25 stand rejected under 35 U.S.C. § 103 as unpatentable over Doyle in view of Misra.

Reference is made to the brief and answer for the respective positions of appellants and the examiner.

OPINION

At the outset, we note that in accordance with appellants' statement, at page 3 of the brief, all claims will stand or fall together. Accordingly, we will focus on independent claim 1.

The examiner applies Doyle to claim 1 at pages 3-4 of the answer, to which we refer for the examiner's reasoning.

Appellants argue only that Doyle does not disclose or suggest generation of the access permissions in a form independently usable for the service provider, as in the last lines of independent claims 1 and 15. Appellants contend that while Doyle requires distinct configuration and authentication for each host application, the instant claimed invention does not.

Appellants explain that in Doyle, when the host receives information about a selected host application, the host application provides the information and a bind request 307 is sent from the host to the client. The client responds with a bind response 309 and the host application then sends a request to the client for its certificate 311. The client's response is to create a security packet and to send the security packet to the host 313 for authentication. The host application then forwards the client's certificate to a host access control 315. Once authenticated, the host access control returns a response to the host application 317. At that point, logon is complete and application data begins to flow 319 between the client and the host application (brief-pages 5-6, citing column 5, line 67, through column 6, line 14, of Doyle). Therefore, appellants conclude that Doyle requires both the client and the host

application to store and administrate various kinds of data for authentication, increasing the load on each device.

The examiner responds by arguing that the claim limitation of “generation of the access permissions in a form independently usable for the service provider” may be interpreted broadly, yet reasonably, so that Doyle anticipates. In particular, the examiner contends that Doyle’s gateway system generates the certificate and signature in response to a request by a user for certification information and the certification information is authenticated at the host system in order to grant the requesting user access to the desired applications. It is the examiner’s position that this certification information meets the limitation of the claimed access permissions, and that because the gateway system generates the certification information for the host computer to authenticate the user’s application request, the certification information is generated in a form independently usable by the host computer (answer-page 7). Moreover, the examiner contends that since the host computer is the only party in the system of Doyle capable of authenticating the user’s request based on the certification information, this meets the instant claim language regarding “independently usable for the service provider.”

Since the outcome of this case depends on whether the examiner’s broad interpretation of the phrase, “generates the access permissions in a form independently usable for the service provider” is warranted, it would be helpful to determine what, exactly, appellants intended by that language. Page 9, lines 17-20, and page 10, lines 16-18, of the instant specification, referenced by appellants at page 3 of the brief for an understanding of

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that claim language, provides very little help in that the cited portions of the specification use exactly the claim language with no further explanation as to what constitutes a form “independently usable for the service provider.”

We find the examiner’s explanation to be reasonable. That is, since the gateway system of Doyle generates the certification information for the host computer to authenticate the user’s application request, the certification information is generated in a form “independently usable by the host computer,” i.e., the host computer is the only party to use the certification information to authenticate the user’s request. Therefore, the access permissions are generated in a form independently usable by the service provider (host). We realize that the claim language recites “independently usable *for* the service provider” and not “independently usable *by* the service provider,” as postulated in the examiner’s analysis, but we find no distinction in this language which would nullify the examiner’s analysis.

Accordingly, we will sustain the rejection of claims 1, 2, 4-6, 8-13, 15, 17, 18, and 20-24 under 35 U.S.C. § 102 (e) and, since the rejection under 35 U.S.C. § 103 over Doyle and Misra is not separately argued, we will also sustain this rejection.


The examiner’s decision is affirmed.

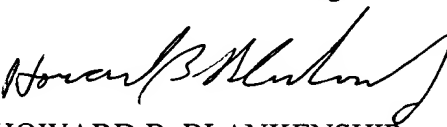
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No time period for taking any subsequent action in connection with this appeal may
be extended under 37 CFR § 1.136(a)(1)(iv) (2004).

AFFIRMED


ERROL A. KRASS
Administrative Patent Judge


JOSEPH F. RUGGIERO
Administrative Patent Judge


HOWARD B. BLANKENSHIP
Administrative Patent Judge

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